DOCUMENT RESUME

ED 072 865 PS 006 348

TITLE	Establishing a State Office of Early Childhood Development: Suggested Legislative Alternatives.
INSTITUTION	Education Commission of the States, Denver, Colo.
SPONS AGENCY	Office of Child Development (DHEW), Washington, D.C.; Office of Education (DHEW), Washington, D.C.
REPORT NO	ECS-R-30
PUB DATE	Dec 72
NOTE	52p.; Third report of the Education Commission of the States, Task Force on Early Childhood Education
AVAILABLE FROM	Education Commission of the States, 300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203 (no charge)
EDRS PRICE	MF-$0.65 HC-$3.29
DESCRIPTORS	Child Development Centers; *Early Childhood Education; Educational Legislation; *Guides; Preschool Education; *Preschool Programs; State Agencies; *State Legislation; State Programs

ABSTRACT

Legislative alternatives for providing a mechanism within State government to plan and coordinate early childhood programs are presented and analyzed. The alternatives addressed are: (1) placing early childhood responsibility in an existing agency; (2) creating a new office of child development as an independent State agency; and (3) creating a new office as part of the governor's office. Comments on each part of the legislation clarify and expand on the legal language and the implications of the alternatives presented. Sections of the legislation discussed are: short title, purposes, definitions, Office of Early Childhood Development (establishment, powers and duties, report to legislature, governor), coordinating council, State and district councils, personnel training program, appropriation authorization, and effective date. A third alternative, establishing a child care coordinating council, is addressed in a concluding section, which contains copies of three executive orders establishing such councils. (KM)

U. S. DEPARTMENT OF HEALTH, EDUCATION & WELFARE
OFFICE OF EDUCATION

THIS DOCUMENT HAS BEEN REPRODUCED EXACTLY AS RECEIVED FROM THE PERSON OR ORGANIZATION ORIGINATING IT. POINTS OF VIEW OR OPINIONS STATED DO NOT NECESSARILY REPRESENT OFFICIAL OFFICE OF EDUCATION POSITION OR POLICY.

ED 072865

NPS
PS

Establishing a State Office of Early Childhood Development:

Suggested Legislative Alternatives

PS 00 6348

A report of

The Education Commission of the States

December 1972

Report No. 30

Early Childhood Report No. 3

task force members

Governor Calvin Rampton, Utah
Chairman

Milton Akers, Director
Florida Office of Early Childhood Development

Robert W. Blanchard
Superintendent of Schools
Portland, Oregon

Mrs. Nikki Blankenship
Early Childhood Bilingual Program
Southwest Educational Development Laboratory, Austin, Texas

Howard Bray
Academy for Contemporary Problems
Washington, D.C.

Preston Bruce, Director
Four-C Division
Office of Child Development, H.E.W.

Benjamin Carmichael
Commissioner of Education, Tennessee

Mrs. Constance Cook
Member, New York State Assembly

Mrs. Barbara Finberg, Executive Associate
Carnegie Corporation of New York

Mrs. March K. Fong
California State Representative

D. Robert Graham
Florida State Senator

Dr. Dorothy Gregg
Assistant to Director of Public Relations
U. S. Steel, New York City

Mrs. Beverly Gunst
Vice President, Nursery School
Association for Childhood Education International

Orval Hansen, Idaho
U. S. House of Representatives

Edwin Martin, Director
Bureau of Education for the Handicapped
U.S. Office of Education, H.E.W.

Robert E. McNair
Governor of South Carolina, 1965-71

Mrs. Ray E. Miller
Fargo, North Dakota Board of Education

John H. Niemeyer, President
Bank Street College, New York

Glen Nimnicht
Far West Laboratory for Educational Research and Development
Berkeley, California

Rev. Albert Schneider, Superintendent
Archdiocese of Santa Fe, New Mexico

Howard Schrag, Director
Idaho Office of Child Development

John Sessions, Assistant Director
AFL-CIO Education Department
Washington, D.C.

Jule Sugarman, Administrator
Human Resources Administration
New York City

Daniel B. Taylor
Superintendent of Public Instruction
West Virginia

John V. Tunney, California
U. S. Senate

Mrs. Jeannette Watson, Director
Texas Office of Early Childhood Development

Burton White
Harvard Graduate School of Education

Official Observers

Mrs. Roger Jones, President
Parent Cooperative Preschools International

Mrs. Elizabeth Lewis
Santa Ana College, California

William Rapp, Vice President
Federation of Rocky Mountain States

Duane Ragan
Office of Child Development, H.E.W.

Robert Wetherford
U.S. Office of Education, H.E.W.

Education Commission of the States

Governor Winfield Dunn
Tennessee, ECS Chairman 1972-73

Wendell H. Pierce
Executive Director

James A. Hazlett, Director
Elementary-Secondary Education

Mrs. Sally V. Allen
Project Director

ED 072865

Establishing a State Office of Early Childhood Development:

Suggested Legislative Alternatives

The third report of
The Education Commission of the States
Task Force on Early Childhood Education

December 1972

PS 006348

Additional copies of this report may be obtained from the Education Commission of the States, 300 Lincoln Tower, 1860 Lincoln Street, Denver, Colorado 80203.

1972 Education Commission of the States

CONTENTS

Developing Legislative Alternatives 3

How to Use This Booklet 5

Suggested Legislation and Comments 6
- Sec. 1. Short Title 6
- Sec. 2. Purposes 6
- Sec. 3. Definitions 8
- Sec. 4. Office of Early Childhood Development 10
  - (a) Establishment 10
  - (b) Powers and Duties 16
  - (c) Report to Legislature, Governor 22
- Sec. 5. Coordinating Council 22
- Sec. 6. State and District Councils 22
- Sec. 7. Personnel Training Program 30
- Sec. 8. Appropriation Authorization 36
- Sec. 9. Effective Date 36

Sample Executive Orders 38
- Alabama 41
- Mississippi 43
- West Virginia 46

The ECS Early Childhood Project is funded jointly by the Office of Child Development and the Office of Education in the U.S. Department of Health, Education and Welfare (Grant #OCD-CB-167).

The photograph on the cover was taken by Eric Morey, a graduate of the University of Colorado and the University of Chicago, who is currently working as a free lance photographer in Denver.

DEVELOPING LEGISLATIVE ALTERNATIVES

The suggested legislation presented here was developed by the Education Commission of the States Early Childhood Task Force. It is a response to an expressed need from the states for specific suggestions concerning how best to provide a mechanism within state government to plan child development programs and to coordinate the delivery of those services called for in statewide plans.

In an earlier report, Early Childhood Development: Alternatives for Program Implementation in the States (June 1971), the Task Force said:

> How early childhood programs are administered at the state level will substantially affect the impact and nature of the state effort. And one thing is clear. Coordination of state programs must be drastically improved. Continued efforts must be made to eliminate the duplication caused by overlapping funding procedures. Both program centralization at the federal level and a means of channeling funds and effecting planning through a central state agency are needed. . .state legislation should be enacted to establish coordinating machinery for early childhood programs.

The 1971 Task Force report proposed three alternatives for state administrative structure: placing early childhood responsibility in an existing agency; creating a new office of child development as an independent state agency; or establishing a child care coordinating council. The suggested legislation included in this report addresses the first two alternatives, plus a variation of the second--placing the office in the governor's office. The third alternative, a coordinating council, is addressed in the concluding section of the report because it does not go as far in

establishing a formal administrative structure and could be accomplished by executive order rather than by legislation.

This legislation was developed through Task Force discussions and from studies of legislation, executive orders and administrative structures in states which have made an attempt to bring order out of the chaos typical of services for very young children in most states. Staff research and analysis were spearheaded by Tom Neal, a former Colorado state legislator, who is assistant director of the ECS Early Childhood Project. The draft language is the work of Robert Frye of Denver, counsel for the Education Commission of the States, and his associate, Harvey Deutsch. The suggested legislation has gone through five revisions. While it would be fair to say that it represents a composite of the thinking of Task Force and Project staff members, it should be noted that it does not represent unanimity of opinion.

The legislation has not been reviewed by the Steering Committee of the Education Commission of the States and should not be considered to represent an official position of the organization. Clearly, those not concerned about central state coordination of programs for very young children and their families or desiring instead a program based solely on local control would not find this bill useful.

This is, after all, suggested legislation. Its purpose is to present possible solutions to the problem of planning and coordination of programs and services for young children and their families. Suggested legislation must take a broad approach which

can be adapted to the varying needs of individual states. While the basic nature of the problem is similar in most states--a myriad of programs; a fragmented, uncoordinated approach--the realities of politics and differing philosophies may dictate variations in the approach to a solution of the problem.

HOW TO USE THIS BOOKLET

The suggested legislation is printed on the left--even numbered pages 6 through 36. Comments on the legislation, section by section, are printed on the right--odd numbered pages 7 through 37.

This booklet has been laid out in this format so that the legislation and the comments on it can be read together. The commentary clarifies and expands upon the legal language and suggests the implications of the alternatives presented. Its purpose is to insure that the complications and ramifications of the bill are fully understood.

The sample executive orders, beginning on page 38, are actual state documents and are printed without comment.

AN ACT RELATING TO EARLY CHILDHOOD;
CREATING AN OFFICE OF EARLY CHILDHOOD DEVELOPMENT;
AND FOR OTHER PURPOSLS

BE IT ENACTED by the legislature of the State of _____.

Section 1. Short Title. This Act may be cited as the Early Childhood Development Act of 19__.

Section 2. Purposes. The purpose of this Act is to provide for a comprehensive early childhood development program, by emphasizing preventive measures designed to provide the services which will enable children to develop to the maximum level the physical, mental, and social potentials which they possess; to strengthen the role of the family as the first and most

COMMENTS ON THE SUGGESTED LEGISLATION

Title. The title refers to the establishment of an Office of Early Childhood Development because the Office's major concern should be with child development as opposed to narrower concepts embodied in the terms "day care" and "early childhood education." In its 1971 report, Early Childhood Development: Alternatives for Program Implementation in the States, the Task Force stressed the need "to develop ways to reach the families of young children and to strengthen their capacity for parenting " and "to involve parents in the formal education of their children directly and through the decision-making process." In view of that emphasis, Task Force members proposed that the title refer to an Office of Early Childhood Development and Family Services or an Office of Early Childhood and Family Development, preferring a broader concept than that implied in the suggested legislation.

The title given to such an Office, however, is much less important than what it does. In states where legislation has been enacted, the name of the Office established has varied: in Florida it is the Office of Early Childhood Development; in Massachusetts, the Office for Children; in Idaho and South Carolina, which have offices established by executive order, the Office of Child Development.

Purposes. Section 2 includes a broad statement of purposes. The emphasis is on comprehensive programs involving children and their families; on preventive measures rather than remedial; and

fundamental influence on child development; and to provide improved services to young children and their families through better coordination of existing services.

Section 3. Definitions. As used in this Act, the term (a) "program" includes any program, service or activity coming under this Act which is conducted full or part time, in special facilities, in schools, in neighborhood centers or in homes; (b) "early childhood" means that period of life in which a child's intellectual, social, emotional and physical qualities are in the formative stages and in which the foundation for his future development is made; (c) "family services" means those services directed toward the parents or guardians of children eligible for assistance under this Act, which are designed to strengthen the family unit and assist the parents in providing sound early childhood development; (d) "comprehensive early childhood development services" may include, but are not necessarily limited to, the following program components: physical health services, mental health services, diagnostic services, child care services both in homes and outside, services for handicapped children, parent education, preschool education, social services and transportation services necessary to make programs effective and accessible; (e) "Office" means the Office of Early Childhood Development; and (f) "councils" means district or state councils for early childhood development authorized by this Act.

on better coordination of existing services. The language is intended as a guide. Sponsors of the legislation may wish to change, or add to, the language.

Definitions. In Section 3, several definitions are included in an attempt to clarify what is meant by "early childhood" and "early childhood development". The definition of early childhood is taken from legislation enacted recently in Florida, but without specific reference to ages. Ideally, programs would be available to children from birth through ages 6 or 8 and to their families, including expectant mothers and future parents. The Florida definition specifies "the years between three and eight". Legislation enacted recently in Massachusetts defines "child" as "any person under the age of sixteen or under the age of eighteen if such child is a child with special needs".

One Task Force member suggested under 15 years of age, which would bring the definition in line with federal legislation. Early childhood, however, is most often thought of in terms of 0 to 6 years of age. Again, the language of the suggested legislation is purposely flexible to allow sponsors in various states to make their own determinations as to whether specific ages should be set forth in the legislation. For example, there might be instances where a sponsor would prefer to broaden the scope of the legislation to include establishment of a Youth Authority with responsibility for programs for youths up to 18.

SUGGESTED LEGISLATION

Section 4. Office of Early Childhood Development.

(a) Establishment.

ALTERNATIVE 1. There is hereby established, within the State Department of Education, an Office of Early Childhood Development, to be administered by a director appointed by the Commissioner of Education. Said Office shall be the principal agency of the state for the administration of this Act. To effectuate the purposes of this Act, the director may request from any department, division, board, bureau, commission or other agency of the state, and the same shall provide, such information as well as enable the director properly to exercise his powers and perform his duties hereunder.

ALTERNATIVE 2. There is hereby created as an independent agency in the executive branch of the state government, an Office

COMMENTS

The definition of "early childhood development"--in the suggested legislation, "comprehensive early childhood development"--is all-inclusive to make it expressly clear that child development includes a broad range of services and is not limited to day care or education as those terms are popularly applied. Effective program planning and coordination of delivery of services must take into account all services a state provides which affect the way in which a child develops and his opportunity to realize his full potential. That may include day care. It may include education. It certainly includes more than those two components.

Alternative Administrative Structures. Section 4 suggests three possibilities for placement of the Office: (1) as a division within an existing agency, (2) as an independent agency, and (3) within the governor's office.

Under Alternative 1 the Office is established as a division within the State Department of Education. That department serves as a logical example for the purposes of illustration. There are other agencies within state government which might also be logical. A state department of social services, or welfare, or human resources, or mental health would be feasible since those types of agencies in most states already have the responsibility for administering programs related to child development.

Alternative 2 presents another possibility. The case for centering in a single agency the several disciplines and programs

of Early Childhood Development. The head of such Office shall be a director, who shall be appointed by the governor and shall hold office during the pleasure of the governor. Said Office shall be the principal agency of this state for the administration of this Act. To effectuate the purposes of this Act, the director may request from any department, division, board, bureau, commission or other agency of the state, and the same shall provide, such information as will enable the director properly to exercise his powers and perform his duties hereunder.

ALTERNATIVE 3. There is hereby created an Office of Early Childhood Development within the office of the governor, administered by a director who shall be appointed by the governor and shall hold office during the pleasure of the governor. Said Office shall be the principal agency of this state for the administration of this Act. To effectuate the purposes of this Act, the director may request from any department, division, board, bureau, commission or other agency of the state, and the same shall provide, such information as will enable the director properly to exercise his powers and perform his duties hereunder.

essential to a successful statewide program is compelling. But in terms of practical legislative success it may be the most difficult to achieve. It goes counter to state reorganization efforts, which seek to reduce the number of major executive agencies. Opponents would be likely to argue that it would result in the creation of a superagency, and state legislatures tend to feel there are enough of those already.

Alternative 3 suggests still another approach--one which has been utilized in several states. In states where the planning function is within the governor's office Alternative 3 would be a logical choice for placing the Office since one of its major functions involves planning. Establishing the Office in the governor's office would also give needed visibility and status to children's programs and services.

One other alternative, an interagency coordinating council, which could be established by executive order without legislation, is discussed on page 38.

The language in Section 4 may vary considerably from state to state, depending upon existing state statutes and constitutional

SUGGESTED LEGISLATION

constraints. The language of the suggested legislation provides for the appointment of the director of the Office of Early Childhood Development by the governor and gives the director considerable power, through enumeration of the powers and duties of the Office. If the Office were established as an independent agency (Alternative 2) or within the governor's office (Alternative 3), this should not present problems. If the Office were established within an existing state agency (Alternative 1), it might be necessary to provide for the director's appointment by the governor with the advice of the agency head, and to provide that the powers related to the Office would reside in the agency head, who would be given the authority to delegate these powers. Again, whether this would be necessary or advisable would depend upon state statutes, administrative codes, constitutional constraints, executive branch organization, accepted practice and political realities--all of which vary from state to state.

Because legislation of the type suggested is relatively new, there are few examples of action states have taken. Florida has established an Office of Early Childhood Development in the governor's office (enacted by the legislature in 1972); Massachusetts has established an Office for Children (by legislative enactment, 1972) within the executive office of Human Services; Georgia has provided for a program of early childhood development under the State Board of Education (by legislative enactment, 1972);

(b) Powers and Duties.

The Office of Early Childhood Development shall have the following powers and duties:

(1) To design, develop and review annually, a comprehensive, statewide, community-based program to meet early childhood needs; subject, however, to the limitation set forth in Section 6 (7) hereof.

(2) To supervise, apportion and administer

COMMENTS

California has enacted legislation (1972) consolidating child care services for welfare recipients in the State Department of Education and designating that department as the single state agency to administer federal funds for such programs. The California legislature has also enacted legislation (November 1972) which gives to the State Board of Education the responsibility for establishing a comprehensive statewide program for early childhood education.

Several other states have established an Office of Child Development. These include Vermont (by executive mandate in the Agency of Human Services), Idaho and South Carolina (by executive order in the governor's office). Texas has an Office of Early Childhood Development (in the Department of Community Affairs) which was initiated by the governor. Illinois has a Department of Children and Family Services, with primary jurisdiction in the field of child welfare.

Powers and Duties. This part of Section 4 offers suggestions concerning the responsibilities which might be given to the Office. This is a sensitive area which must be carefully considered in each state where the legislation might be introduced. The 12 powers and duties suggested here would give the Office considerable authority. The rationale is that if the Office is to have an opportunity to be effective, it must be given sufficient authority to accomplish its basic objectives: developing a statewide plan for early childhood development programs and coordinating delivery

the expenditure of all state and federal funds utilized for early childhood development and family service programs pertaining thereto;

(3) To apply for, receive and administer funds which are, or may become, available under federal programs pertaining to child development, including funds for administration, demonstration projects, construction or acquisition of facilities, training, technical assistance, planning and evaluation;

(4) To coordinate the delivery of services by state agencies operating programs which include components of the state's comprehensive early childhood development and family services plan;

(5) To assist children and their parents or guardians in obtaining the assistance and services which the child needs and which are provided by state and local agencies;

(6) To develop a program to inform the public concerning comprehensive early childhood development and family services;

(7) To establish a comprehensive early childhood development information management system;

of services by established state agencies.

(1) This paragraph gives the Office responsibility for developing a statewide plan, subject to the limitation that the plan must be approved by the State Child Development Council.

(2) This paragraph gives considerable authority to the Office over the expenditure of funds involved in early childhood programs. This is a key question and a controversial one since it may involve the budgetary authority of existing state agencies. It is a question which, possibly more than any other in the suggested legislation, must be resolved on a state-by-state basis. Legislation enacted recently in Massachusetts gives that state's Office for Children the authority to "analyze and evaluate all budget requests for services to children from departments or agencies within all executive offices and make recommendations to the secretary of human services and other appropriate secretaries and the governor regarding coordination and approval of such budget requests."

(3) This paragraph designates the Office as the state agency to apply for federal funds available for child development and to be the administering state agency for such funds. Presently, in most states, this responsibility is scattered among as many as five or six agencies. Focusing it in one agency would provide an opportunity for better coordination and more efficient use of available funds.

Paragraphs (4), (5), (6), and (7) are self-explanatory.

(8) To establish criteria and minimum standards for approval of local public and private programs and facilities for comprehensive early childhood development and family service;

(9) To provide for the evaluation of all early childhood development and family service programs and facilities pursuant to this Act;

(10) To serve where applicable as the sponsoring state agency for child development programs which are, or may be, instituted by the federal government;

(11) To provide professional and technical assistance to State and District Councils;

(12) To promulgate rules, regulations and guidelines for implementation of the powers and duties prescribed within this section.

COMMENTS

The intent of Paragraph (8) is to suggest that the licensing function be centered in a single agency and that it go to programs as well as facilities. The present situation in most states, especially with regard to day care, is that licensing concerns itself primarily with physical facilities. And in many states licensing of facilities and programs related to child development is scattered among several agencies.

Paragraph (9) gives the Office responsibility for "providing for" the evaluation of early childhood development programs. The rationale was that the Office itself would not necessarily make the evaluations but should be authorized to "provide for" evaluation of programs undertaken.

Paragraph (10) designates the Office as the state's prime sponsor for child development programs which may be authorized by the Federal Congress. This suggested language would not mean anything unless federal legislation were enacted, but its inclusion in legislation to be considered by a state would do no harm. It provides a way for a state to be ready to take advantage of federal legislation which may be enacted at some future date, if a state wishes to be in that position.

Paragraphs (11) and (12) are self-explanatory.

(c) Report to Legislature and Governor.

The Office shall report annually to the legislature and governor on the implementation of this Act and shall make recommendations annually for improvement of comprehensive early childhood development programs.

Section 5. Child Development Coordinating Council. A Child Development Coordinating Council consisting of a representative of the Office of Early Childhood Development (who shall serve as chairman) and representatives from all state agencies responsible for the education, health and welfare of families and children in this state, shall meet on a regular basis in order to insure coordination of child development and related family service activities under their respective jurisdictions.

Section 6. Child Development State and District Councils. The Director of the Office of Early Childhood Development shall establish State and District Child Development Councils as follows:

(1) The Director of the Office of Early Childhood Development shall divide the state into _____ districts* with due consideration in making such

*(Alternative) "into such number of districts as in his judgment will provide the optimum public participation in the formulation and implementation of local and statewide policies and plans relating to early childhood development, with due regard to maintaining the membership of the State Council (as established hereinafter) at such number as in his judgment will be capable of efficiently performing its duties, and representative of the population of this state. . ."

COMMENTS

Coordinating Council. Section 5 establishes a state-level interagency council. The intent is to provide further opportunity for state agencies involved in early childhood programs to work together in developing the details of programs and in coordinating delivery of services by the several agencies involved.

Child Development Councils. Section 6 makes provision for local participation through a system of district councils whose membership would include parents, public officials at the local level and representatives of the private sector of the economy, "including representatives of business, labor and private charitable organizations."

The state council would draw its membership from district councils, with the addition of two legislators and gubernatorial appointees from state agencies.

One of the problems in organizing district councils involves the selection of members. If local communities are to have a

divisions being given to compactness, contiguity, community of interest, equality of population, and existing planning and service districts.

(2) The Director shall appoint a chairman for each district who shall reside in such district. District chairmen shall be persons who by reason of experience or training have demonstrated ability and interest in early childhood development and family assistance.

(3) The district chairman shall appoint from among the population of his district an initial District Council consisting of _____ members to serve for a one-year term. Of said members, one-third shall be parents of children eligible for family assistance in accordance with the provisions of this Act or the rules and regulations promulgated hereunder; one-third of the membership shall be public officials having responsibility in the general area of early childhood development or family assistance; and one-third shall be persons from the private sector of the economy, including representatives of business, labor and private charitable organizations. Each District Council shall have the right to adopt rules governing election of its chairman, selection of its

voice in developing their own programs, parent representatives on the district councils ideally should be selected by a democratic process. But in the initial establishment of the district councils this is difficult to achieve, especially when more than one community or neighborhood is involved.

The suggested legislation establishes a procedure for the initial establishment of district councils through an appointment process centered in the director of the Office and the chairmen of the councils named by the director. These initial appointments, however, are for a term of one year. Each council is given the authority to establish its own procedure for selection of members, following the council's initial year of operation.

own members within the district, and selection of its representatives to the State Council; provided that the composition of the District Council shall be in accordance with the provisions of this section. Such rules shall take effect at the conclusion of the one-year term of the Council as constituted hereunder. In the event that the governor shall determine after notice and hearing that a District Council is not adequately performing its duties as provided herein, the governor shall have the right to remove the members of the District Council, including the district chairman, and to appoint a new district chairman who shall then appoint a new District Council as provided herein for the initial District Council.

(4) Prior to adoption or implementation of any comprehensive statewide plan for early childhood development proposed by the Office to the State Council pursuant to Section 6 (7) hereof, each District Council shall be notified in writing by the Office of the contents of said plan and shall be afforded the opportunity to hold public hearings thereon within the district. The District Councils may make recommendations to the Office of Early

COMMENTS

Childhood Development and/or the State Council concerning said plan, particularly as it may affect their district.

(5) Each District Council shall serve as a vehicle for transmitting program and project requests to the State Council and the Office and shall ascertain and recommend priorities for child development and family assistance services in their respective district. The District Council shall also have authority to design, develop, review and implement a local program to meet early childhood development and family service needs within its district, which plan shall be in consonance with the statewide plan as approved by the State Council.

(6) There shall be created a State Council whose members shall consist of the following:

(a) Each District Council shall select ____ representatives from among its members to represent said district on the State Council.

(b) Each house of the state legislature shall appoint one person from among its members to serve on the State Council.

(c) The governor shall select from among the state agencies concerned with welfare, social

COMMENTS

services, health, education, justice and rehabilitation, _____ representatives to serve on the State Council.

(d) In no event, however, shall the number of representatives from the state legislature and state agencies combined exceed one-third of the total membership of the State Council.

(7) The State Council shall meet at least _____ (annually, semi-annually or quarterly) with the director of the Office and may make recommendations to the Office concerning the statewide program and implementation of the same and shall advise the director concerning the statewide program and implementation thereof. No statewide plan for early childhood development shall be implemented by the Office unless approved by a majority vote of the membership of the State Council.

Section 7. Early Childhood Development Personnel Training Program.

(1) Pursuant to such policies and regulations as the Department of Education* may adopt, any school board, college, junior college, vocational-technical school or group whose program of early childhood

*Insert appropriate state agency charged with such responsibility.

COMMENTS

Personnel Training Programs. Section 7 provides for the development of a system of training programs for early childhood personnel. This section is taken from legislation enacted recently in Florida. It recognizes a basic need for qualified personnel to work in early childhood development programs. In the suggested legislation the Department of Education is designated as the state agency with primary responsibility for administering personnel training programs because that is the agency

development has been reviewed by the Office may submit a proposal to the Department of Education* for a program for the training of personnel in early childhood development. Such proposal shall contain: An itemized estimate of cost; the estimated membership and description of participants; a description of the course of training or study and the methods and materials to be used; a program goal or goals and a method of assessment of program success; and a method of financial support, including sources of funding; a definition of the sponsor's role and duties, supported by resolution or other document indicating intent to support such a program of training; and such other information as the Department of Education* may require.

(2) After review of such proposals by the Office, the Department of Education* may make grants in support of such proposals within the amount appropriated therein. All grantees hereunder shall be bound by the rules, regulations and guidelines promulgated by the Office pursuant to this Act.

(3) Upon request of any body competent to make

*Insert appropriate state agency charged with such responsibility.

traditionally responsible for certification and credentialling of such personnel. As indicated, however, if a state wished to depart from that tradition and place the responsibility elsewhere, it would only be necessary to insert the name of another agency.

Some Task Force members suggested that it might be advisable to introduce separate legislation concerning personnel training programs. This section is included as part of the overall legislation for purposes of simplification and also because personnel training is a vital part of a comprehensive state program which should be considered in relation to the establishment of an Office of Early Childhood Development. If a sponsor wished to introduce separate bills, it would seem logical to suggest that they be considered as companion legislation.

proposals under Subsection (1) above, the Department of Education* may provide such technical advice as is necessary to enable the body to develop a suitable proposal.

(4) In cooperation with the Office, the Department of Education* shall develop or obtain training materials, curriculum, and teaching formats for training persons in early childhood development and family services. Such courses will be designed for:

(a) Persons working with children, including professionals, para-professionals and members of the community who volunteer to work in early childhood development programs; and

(b) Parents or prospective parents of young children.

(5) The Department of Education* shall make the materials described in Section 7 (4) available to persons wishing to conduct training programs under this Act.

(6) Such courses and materials referred to in Subsections (1), (2), and (4) shall take a comprehen-

*Insert appropriate state agency charged with such responsibility.

COMMENTS

sive view of child development including educational, social, health, nutritional, psychological and community involvement training in early childhood development.

(7) The policies and regulations adopted by the Department of Education* pursuant to this Section shall be coordinated with the Office.

Section 8. Authorization for Appropriations. There are hereby authorized to be appropriate such sums as may be necessary to effectuate the purposes of this Act.

Section 9. Effective Date. This Act shall take effect _____.

*Insert appropriate state agency charged with such responsibility.

COMMENTS

Appropriations. A specific amount to be appropriated is not included in the suggested legislation because that is a decision which must be made by each state. It should not be necessary to appropriate an excessively large amount, however, since the suggested legislation establishes an Office which would not require a large staff and which would not require the appropriation of funds to initiate new programs. The thrust of the suggested legislation is to make more effective use of existing programs, both federal and state, through improved coordination and through better planning. The Florida legislation, for example, provided for an initial appropriation of $43,127 to the Office of Early Childhood Development.

SAMPLE EXECUTIVE ORDERS

An Office of Early Childhood Development established by legislative action is not the only way to provide a planning and coordinating mechanism for early childhood programs.

Several states, primarily those which are members of the Appalachian Regional Commission (ARC), have established interagency coordinating committees. While the responsibilities of such committees vary from state to state, the basic purpose of each of them is the same: to develop a statewide plan for early childhood programs and to coordinate delivery of services at the local level.

The impetus for this movement in Appalachia has come from the Appalachian Regional Commission's decision to emphasize early childhood development as an essential factor in improving the economy of states within the region. The ARC has made funds available for planning and for approved projects. One of the criteria states wishing to take advantage of the program have had to meet has been the establishment of an interagency committee to design a plan and to serve as the state group responsible for approving early childhood development programs to be funded with ARC monies available for that purpose.

Most Appalachian states which have taken advantage of the ARC program have had one or two years of experience with this approach, with varying degrees of success.

West Virginia, for example, has used the interagency council approach with considerable success. The West Virginia council has

developed a comprehensive state plan which is now in the process of being implemented, with a full-time director in charge. The West Virginia council was established by an executive order issued by Governor Arch Moore in November 1971. Represented on the council are the state departments of welfare, health, mental health, education, employment security, the governor's office of federal-state relations, and the state tax commission.

Alabama's interagency committee was established by an executive order issued by Governor George Wallace in February 1971. While that committee has no full-time staff, it contracted for a comprehensive assessment of early childhood needs and services in the state's counties within the Appalachia region.

Mississippi has a system of local child development councils, culminating in a state council. This system was established by executive order of Governor John Bell Williams in December 1971 and was amended further by an executive order issued by Governor William Waller in February 1972. Mississippi's state council has a full-time director.

The West Virginia, Alabama and Mississippi executive orders are included in this section as samples of the type of executive order which could be issued in states where the governor is sufficiently interested in providing for the orderly development of programs for young children, and where he has the legal authority to do so.

Other Appalachia states have established state level interagency committees on a more informal basis. In Tennessee, for example, Governor Buford Ellington established an interagency committee in 1969 by memorandum. The committee has continued during the administration of Governor Winfield Dunn, who issued a memorandum directing its continuation when he assumed office. The Tennessee interagency committee has developed a state plan and has approved 13 projects for ARC funding. The Tennessee group has operated with a full-time director and one part-time staff person. Additional staff have recently been provided through an ARC technical planning grant.

States within the Appalachian Regional Commission have had an obvious advantage in that federal funds have been available through ARC for establishing a planning mechanism. But the interagency approach offers a relatively inexpensive way for any state to move toward designing a state plan for early childhood development and coordinating the delivery of those services which may be involved. At the least, establishment of an interagency coordinating committee by executive order of the governor would provide an opportunity for communication between state agencies already involved in providing services for young children.

A L A B A M A

EXECUTIVE ORDER

No. 5

WHEREAS, the health, economic and education well-being and development of the children of Alabama and their families is of prime consideration to the State Government of Alabama, and to the Governor; and

WHEREAS, there has been demonstrated increasing need for coordination between the several Departments of State Government in implementing various Federal, State, and local programs designed to enhance the opportunities for the total development of Alabama children, with particular emphasis upon children under school age; and

WHEREAS, eligibility for participation in certain Federal childhood planning and development programs by State and local governmental and independent agencies requires the function of an Inter-Departmental Committee, and the review and recommendation of such Committee will enhance the success of such planning and development efforts;

NOW, THEREFORE, I, George C. Wallace, Governor of Alabama, do hereby establish the Alabama Inter-Departmental Coordinting Committee for Early Childhood Development within the Alabama Development Office and do declare that two voting members and one alternate member of the Committee be appointed from Department staff by the Directors of the following Departments: Health, Mental Health, Pensions and Security, Education, and Alabama Development Office.

The Committee may from time to time, as it deems advisable, invite the participation of representatives of allied government or independent agencies, the voting membership residing only with the representatives of the Departments of State Government.

The Committee may initiate, review, and recommend projects which require the approval of the Governor or any participating Department, but may not contract with or on behalf of any agency or Department of Government:

The Committee will study policies reflecting upon programs of early childhood development and recommend to the Departments and to the Governor certain policies which may govern the State's participation in such programs:

ALABAMA EXECUTIVE ORDER

The Committee may establish its own rules of procedures, elect its own officers and will meet at the call of its Chairman at such times and places in the Capitol complex as the Chairman may designate.

Staff assistance will be provided by the Alabama Development Officer to the extent that the Director may deem appropriate, or by other of the participating Departments through agreement of the Directors and approval of the Governor. (Dated and Signed February 17, 1971)

M I S S I S S I P P I

EXECUTIVE ORDER

No. 96

WHEREAS, eligibility of certain counties in Mississippi for participation in childhood planning and development programs authorized by Congress under the Appalachian Regional Development Act of 1965, as amended, and the participation in said programs by State and local governments pursuant to said Act requires the organization of a State-level interagency committee:

NOW, THEREFORE, I, John Bell Williams, by virtue of the authority vested in me as Governor of the State of Mississippi and pursuant to the Constitution and applicable statutes of Mississippi, do hereby establish as public policy of this State that child development planning and coordination are the responsibility of the Governor and do hereby designate and recognize a Mississippi Child Development Council to develop a State Comprehensive Child Development Plan and Program for the State of Mississippi.

Membership of the State Child Development Council shall consist, except where otherwise indicated, of the executive officers of the following agencies, to-wit:

State Board of Health
State Department of Education
State Department of Public Welfare
Interagency Commission on Mental Illness
and Mental Retardation
Board of Trustees, Institutions of Higher Learning
Federal-State Programs, Office of the Governor
Commission of Budget and Accounting
Governor's Committee on Children and Youth
Mississippi Council on Early Childhood Development
One representative selected by each Child
Development Planning District
A Member of the Mississippi House of Representatives
(selected by the Speaker of the House)
A Member of the Mississippi State Senate
(selected by the Lieutenant Governor)

The Governor may add other representatives to the Council as necessary and appropriate in order to assure better services for Mississippi children.

The Governor shall serve as ex-officio chairman of the

State Child Development Council, and the chairman shall be selected by the membership of the Council.

The State Child Development Council shall render advice and assistance to the Governor to enable him to accomplish the following or such additional activities as he may request:

1) Design and implement a comprehensive Statewide planning and development process for child development for the State of Mississippi;

2) Establish policies and procedures for a Statewide planning program for child development;

3) Coordinate and monitor child development programs throughout Mississippi;

4) Evaluate existing and proposed child development operational programs and planning efforts for conformance to policy, standards, and priorities included in the State plan;

5) Prepare and publish an annual comprehensive child development plan and policy for Mississippi, containing priorities for the allocation of Federal, State, and local funds for child development programs;

6) Make recommendations to the Legislature for needed statutory reforms in the field of child development;

7) Organize such task forces and advisory bodies as are necessary to perform the duties of the State Child Development Council; and

8) Provide public records and information, as well as a forum for the discussion of child development programs and problems, for elected officials, public and private agencies, and the general public.

The State Child Development Council will make whatever arrangements are necessary to employ administrative and clerical personnel needed by the State Child Development Council and the District Child Development Councils to carry out the provisions of this Executive Order.

FURTHERMORE, I designate and recognize as Child Development Planning Districts those geographic areas following the

boundaries of Mississippi's Planning and Development Districts, pursuant to Mississippi Executive Order No. 81, dated June 11, 1971.

As Child Development Councils are established within each of these districts, the State Child Development Council shall establish working relationships with the District Councils so that the work of these Councils may become an integral part of the State Comprehensive Child Development Plan and Program.

It shall be the duty of every Department, Board, Commission, Agency, Office, Institution, and political subdivision of the State government and the officers thereof to cooperate with the State Child Development Council in the development of a Comprehensive Child Development Plan for Mississippi and in performing all other duties and responsibilities described herein. (Dated and Signed December 21, 1971)

NOTE: Governor William L. Waller issued an executive order (No. 102) in February 1972 broadening Governor John Bell Williams' original executive order. Governor Waller's order established an Office of Education and Training within the governor's office, named the director of Education and Training as ex-officio chairman of the State Child Development Council and established child development planning as a special program unit in the governor's office under the auspices of the State Child Development Council.

W E S T V I R G I N I A

EXECUTIVE ORDER

No. 5 - 71

WHEREAS, The concern for improvement of "programs devoted to the first five years of life" expressed by President Nixon in his message on Education Reform is shared nowhere more keenly than in West Virginia; and

WHEREAS, The State must exert every possible effort toward bringing to West Virginia those services which will provide the best possible opportunities for the full development of every child in West Virginia without reference to the economic, cultural and ethnic circumstances surrounding his birth; and

WHEREAS, The need to provide an agency for coordinating the services now being provided for child development by various state agencies is becoming increasingly evident;

NOW, THEREFORE, I, ARCH A. MOORE, JR., Governor of the State of West Virginia, in full recognition of the magnitude and necessity of this task, and pursuant to the authority vested in me by the Constitution and the Statutes of West Virginia, do hereby issue the following order:

There is hereby created THE INTERAGENCY COUNCIL FOR CHILD DEVELOPMENT SERVICES, and delineated herein its structure, powers and duties.

The powers and duties of the Interagency Council for Child Development Services shall include those outlined herein and such other duties and powers as may from time to time be assigned said council by this office.

Said council shall be composed of the State Commissioner of the Department of Welfare, the State Director of the Department of Health, the State Director of the Department of Mental Health, the Commissioner of the Department of Employment Security, the State Superintendent of Schools, the Director of the Governor's Office of Federal-State Relations, the State Tax Commissioner and commissioners and directors of such other agencies as shall from time to time be deemed necessary to enable said council to perform its assigned responsibilities.

The head of each of these agencies shall serve on the Council or may be represented by an alternate who shall be delegated decision making power by his agency in matters which come

before the Council. If alternate representatives are named by the agencies, prior approval must be given by the Governor.

The head of each agency shall submit to the Office of the Governor, within thirty (30) days of the date of this executive order, a letter of compliance and shall therein designate himself as the official representative to the Council together with the name of his alternate delegates, if any.

The Governor shall serve as Chairman of the Council during the initial year of its existence. In subsequent years the chairman of the Council shall be chosen by the Council from its membership or may be chosen in such other manner as the Governor may direct.

The specific powers and duties of the Council shall include, but not necessarily be limited to, the following functions. The Council shall:

1. Develop and maintain a comprehensive plan for the provision of child development services in West Virginia which shall include provisions for:

   (a) local participation by area county and community officials, agencies, and citizen groups in the planning process;

   (b) the development of a plan for the organization and administration of state-wide child development programs;

   (c) identifying and developing programs for training personnel for operating child development programs;

   (d) the development of a system for reporting, monitoring and evaluating information from operating child development programs and for disseminating information to such programs;

   (e) the development of methods to involve educational institutions including higher education institutions, in implementation of child development programs;

   (f) maximum effective utilization of existing Federal, State and local child care and

related programs in order to achieve the greatest possible benefit from the utilization of State funds;

(g) consideration of new and innovative systems for delivering child development services.

2. Define and allocate the functions of each of the agencies composing the Council, develop performance criteria for allocated functions and provide for evaluating the performance of assigned functions by member agencies.

3. Determine priority areas of need and recommend to the State's Representative to the Appalachian Regional Commission, or other appropriate funding agencies, areas to be funded for child development services.

4. Provide overall direction, coordination and supervision of child development services established under its jurisdiction.

5. Evaluate the effectiveness of projects in child development.

6. Prepare and submit to the Office of the Governor, recommendations for legislation in the area of child development services.

7. If deemed appropriate, establish an Advisory Committee or committees to advise it regarding the execution of its powers and duties.

8. Perform such other duties as may be consistent with the overall purpose of this executive order or as may be assigned subsequent to said order.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State to be affixed. (Dated and Signed November 1, 1971)

ecs steering committee
1972 - 1973

Chairman

*Governor Winfield Dunn, Tennessee

Vice Chairman

*Warren G. Hill, Chancellor for Higher Education, Connecticut

Chairman-Elect

*Governor Reuben O'D. Askew, Florida

Treasurer

*Senator Bennett D. Katz, Maine

Secretary

Wendell H. Pierce, Education Commission of the States

Members

Governor Stanley Hathaway, Wyoming
Governor Bruce King, New Mexico
Governor Tom McCall, Oregon
Governor James Exon, Nebraska
Governor John Gilligan, Ohio
Governor William Cahill, New Jersey
Senator Bryce Baggett, Oklahoma
Representative Darvin Allen, Kentucky
Representative Manny S. Brown, Wisconsin
Representative Charles W. Clabaugh, Illinois
Senator Robert English, New Hampshire
Representative Max H. Homer, Pennsylvania
Representative Floyd M. Sack, Colorado
Robert S. Babcock, Provost, Vermont State Colleges
Karl Grittner, Principal, Johnson High School, Minnesota
Everett Keith, Executive Secretary, Missouri Teachers Association
Darld J. Long, Executive Director, Utah School Board Association
**Ewald Nyquist, State Commissioner of Education, New York
Mrs. Eldra Shulterbrandt, Trustee, College of the Virgin Islands
*Robert F. Williams, Executive Secretary, Virginia Education Association
Joseph M. Cronin, Secretary, Executive Office of Education Affairs, Massachusetts
Richard H. Kosaki, Chancellor, New Campus, University of Hawaii
William Robinson, Associate Commissioner of Education, Rhode Island
*Cameron West, Vice President for Planning General Administration, University of North Carolina
Robert H. McBride, President, State Board of Education, Delaware
*Philip B. Swain, Director, Management Development, The Boeing Company, Washington
Mrs. Hope Kading, Legislative Coordinator, PTA, Boise, Idaho
James E. Stratten, Chief Director of Apprenticeship Standards, California

Advisory Members

**Governor Robert W. Scott, North Carolina
*Senator Mary L. Nock, Maryland
Representative B. G. Hendrix, Arkansas
Representative Mildred H. Banfield, Alaska
Representative Pete Turnham, Alabama
John Loughlin, Superintendent of Public Instruction, Indiana
Cyril Busbee, State Superintendent of Education, South Carolina
**The Reverend John Bloh, New Jersey Catholic Cnference
Enrique Diaz, Chairman, Council of Higher Education, Puerto Rico
Abner McCall, President, Baylor University, Texas
Mrs. Ray E. Miller, Member, North Dakota Board of Education

*Member, Executive Committee
**Advisory Member, Executive Committee